

Herling
John

JOHN HERLING'S LABOR LETTER

ADMINISTRATIVE FILE

ISSUED WEEKLY FOR INFORMATION OF SUBSCRIBERS

1005 K STREET N.W.

WASHINGTON 1, D. C.

NEW LABOR ACT FOR PHONE WORKERS?

Top officers from 41 Telephone Local of the International Brotherhood of Electrical Workers, from all over the U. S. and Canada, concluded a three-day Washington conference with the decision to press for national legislation to aid all Telephone Workers, in the form of a Communications Labor Act, similar to the Railway Labor Act. This, they believe, will bring to Telephone Workers the benefits which Railroad Workers gain under the Railway Labor Act.

Spear-heading the movement to push for immediate legislative action, were Spert Wenzel, president of IBEW Local Union 1011, of Los Angeles, California, and John Curtin, president of L. U. 827, of New Jersey, state-wide union of plant and clerical telephone employees. They cite the growing resistance all along the line on the part of Telephone Management, toward union organization and true collective bargaining.

Delegates were addressed by both top management and union officials. The attitude of management representatives pointed up rather sharply, in the minds of trade unionists, the contention of telephone union officers that resistance to organization and collective bargaining is stifling.

Gordon M. Freeman, IBEW president, and Joseph D. Keenan, secretary-treasurer, pledged support.

"I can think of no better way," Freeman said, "of celebrating the 70th anniversary of our founding next month, than by pressing for the same type of constructive legislation that has been of so much benefit to railroad members of our Brotherhood for many years. Of course legislation can never solve all problems, and the IBEW will continue its fight for better wages and working conditions for its telephone members across the bargaining table."

The meeting in Washington was conducted under the direction of IBEW International Representative (Continued on next page)

October 28, 1961

HOFFA SUES MEANY, AFL-CIO LEADERS: This week Teamsters President James R. Hoffa did as he promised and entered a suit for libel and slander for \$1 million against AFL-CIO President George Meany and 24 other members of the Executive Council. Hoffa filed the suit in Detroit. His lawyer in this case is William Bufalino, who doubles also as president of Teamsters Local No. 985. The latter was the Teamsters-designated monitor during the phase-out days of the Board of Monitors.

Hoffa in his suit charges that AFL-CIO is trying to steal Teamsters members. In the U.S. District Court in Detroit, Hoffa charges that the AFL-CIO leaders through "their spokesman, George Meany, have maliciously launched a vicious, calculated and calloused attack" upon the Teamsters and their president. Meany is charged with "playing the role of a labor-sniper, with engineering a plan to 'tear away at' the Teamsters by making 'false, malicious and wicked charges, with his objective being to lie and steal away' Teamsters members."

The suit was based on statements attributed to Mr. Meany after the AFL-CIO Executive Council voted down the Quill proposal to re-admit the Teamsters and announced their decision to support Teamsters local who had voted to quit the Hoffa-led International. The Hoffa-led Teamsters were expelled from the AFL-CIO on charges of corruption--charges which Hoffa did not consider libelous enough to instigate a suit.

MEANY QUOTED: Two particular statements by Mr. Meany were mentioned in the suit. One quoted him as saying in New York City on October 10: "There is every indication that the (Teamsters) union is more than ever now under the influence of criminal and corrupt elements."

The other statement quoted Mr. Meany as saying the next day, when asked whether taking in branches of the Teamsters Union into the AFL-CIO after they split with Mr. Hoffa's union "might lead to a head-busting era" between the two unions: "I don't really know. We don't go in for head-busting. You'll have to ask Mr. Hoffa about that."

Also mentioned in the suit as false is a statement by Mr. Meany that the AFL-CIO already has application from about 100 Teamsters local unions to join it. Mr. Meany, the suit said, was authorized to say this to encourage Teamsters locals to quit Mr. Hoffa's union so the AFL-CIO could "raid" the Teamsters.

All these statements, the suit charged, "are slanderous, libelous and defamatory" and "are false fraudulent and untrue."

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HOFFA CHARGES DAMAGES: As a result of Mr. Meany's attacks, the suit added, reputations of Mr. Hoffa and the Teamsters have been damaged and their standing in the labor movement seriously affected. The Teamsters are threatened with a serious loss of membership, it said, and Mr. Hoffa is faced with a loss of the confidence of Teamsters Union members.

EXECUTIVE COUNCIL MEMBERS NAMED: All the AFL-CIO officials named as members of its executive council. However, not all members of the council were named. The exceptions include Walter P. Reuther, president of the United Auto Workers Union; David McDonald, United Steel Workers president; A. Philip Randolph, head of the Brotherhood of Sleeping Car Porters, and William McFetridge, president emeritus of the Building Service Employees Union.

Reuther was absent from the Executive Council meeting because of negotiations in Detroit. McDonald, McFetridge and Randolph voted for readmission of the Hoffa-led Teamsters into the AFL-CIO or against the admission of the seceding Teamsters locals to the AFL-CIO.

Strangely enough, also named in the suit by Hoffa was Joseph Curran, National Maritime Union president, who voted for the readmission of the Teamsters and was probably the most vocal in behalf of the Teamsters and who strenuously opposed allowing the seceding Teamsters locals to come into the AFL-CIO.

Hoffa also included in his suit the name of Carpenters president J. Maurice Hutcheson, who was not present at the Executive Council meeting, and Charles McGowan deceased president of the Boilermakers Union.

HOFFA MAKES IT A FIRST: This suit by Hoffa is almost surely the first suit of its kind in labor chronicles. That is the opinion of leading labor historians who have cudgled their brains for another such suit. One recalled that AFL President Samuel Gompers was called all kinds of things in his career, and there were all sorts of interchanges among international presidents, but a suit never resulted. For example, nearly fifty years ago, Duncan McDonald assaulted Gompers personally and bitterly, and in such terms, that it became a shocking experience even for the United Mine Workers in convention assembled. No suit resulted.

One comment from the AFL-CIO was: "Jimmy can dish it out, but he can't take." Meany's reaction was: "Amusing."

STRANGE COMPANIONS: This is a story of strange companions--David J. McDonald, president of the Steel Workers, and Phil Melas of Cleveland, once described by Robert F. Kennedy as "foremost" in the country's racketeering community. This relationship has been going on for many years. Some friends of Mr. McDonald, and more particularly of the Steel Workers Union, had hoped that the McDonald-Melas relations had been cut off, and that Mr. Weiss had faded into the shadows. Unfortunately, that is not the case.

PHONE--(Continued)

Morris D. Murphy, IBEW director of Telephone Operations

DEDICATED MAN

I am going to report about one of the magnificent men of the free world. A man named Paul Hertz. He died a few days ago at his post in West Berlin, where he had been Senator in charge of Economy and Credit. Such a title can tell little of the passionate wisdom, the dedicated soul, and the relentless practicality which are summed up in the life and deeds of my friend Paul Hertz.

The first time I met Paul was on a ship which brought him here from Europe late in the 1930's. He came as an exile from Hitler's Germany. He was among the first to be marked for special attention by the Nazi regime--a profound compliment paid to the uncompromising enemies of totalitarianism. He had been one of the most perceptive of the Social Democrats. He was coming to America under the auspices of a group of American labor and liberal leaders, who had joined forces to give aid to those who would not give up on their determination to make plans for the elimination of Mr. Hitler, and for the construction of a democratic Germany. As a newspaper man, I frequently would go down the harbor at pre-dawn to meet the ships and interview some of the men and women who had fled the clutches of dictatorship. At that time there were better known exiles than Paul Hertz, but none of them carried their talents with as much modesty and quiet assurance as this man who became my friend.

He quickly went to work for the cause of freedom--in his mouth, words like freedom and democracy, and personal dignity--which sometimes are used too loosely--brought a keener meaning. They transmitted a message of high voltage which lit up men's minds and powered their will. When Hitler was finally toppled, Dr. Hertz told me one day that the reconstruction of a new Germany belonged in the hands of younger men, who were not encumbered with the habits of the past. Such an idea was not a simple matter to express. His longing to return and

to be useful must have been deep-seated, but he brushed the thought aside. He believed he had reached the cut-off point.

Then one day, his old comrade, Ernst Reuter, Mayor of West Berlin, came to Washington, and asked Hertz to come and see him. The first words he said to Dr. Hertz were: "Why are you here when there is much work that we need you to do over there?" And both men wept. Hertz promised to return just for a while. He said he wanted to make sure that his presence in West Berlin would prove an aid, and not a tolerated burden.

His years proved groundless. All his experience in the field of planning and construction—his cannyness and integrity in the handling of funds—made him Ernst Reuter's good right hand. As chairman of the Marshall Plan Committee in West Berlin Dr. Hertz handled the spending of \$413 million. He brought organized labor directly into the development of public policy. Through the plans and programs which he helped create, the workers of Berlin went to work with a will, and with purpose. He once pointed with pride to my wife and me during a visit to Berlin, the great housing developments where the people of Berlin had begun to live and thrive in a re-birth of freedom and security from tyranny; not only did he ensure the contribution of the trade unions to the Berlin economy, he glowed with quiet pride that the Berlin trade unions had become the spine of West Berlin's determination to resist the Communist intimidation. Paul Hertz, more than any single man, was responsible for making West Berlin the show place of freedom—a dramatic contrast to the drab weariness and cold desolation of the body and spirit of East Berlin.

Two years ago, when the people and trade unions of Berlin amassed in a great demonstration against Communist threats, Paul Hertz was already 71. He was a proud man and a confident human being. He had undergone several serious operations, but his shining spirit never lagged. He worked early and late. He could outlast younger men. His energies were prodigious. There was so much to be done and so little time in which to do it. He gloried too in the great development of Mayor Willy Brandt.

(Continued on next page)

REAPPEARANCE: Who is Mr. Weiss? He claims not only the friendship of the Steel Workers' president, but also of Teamsters president, James R. Hoffa. The McClellan committee records reveal that Mr. Weiss was charged with being the fixer in any number of situations, including the arrangement of Teamsters' contracts for Jimmy Hoffa in New York and other places.

A few weeks ago, Mr. Weiss reappeared in the Washington office of the United Steel Workers—the week the union's executive board was in session. During one of the sessions, the motion was moved and carried that the Steel Workers Union should support the re-entry of the Hoffa-led Teamsters into the AFL-CIO. The action was then amended to give the officers of the union the discretion in the matter. The next week at the AFL-CIO Executive Council meeting, David J. McDonald was one of the three out of 27 who voted to support Michael Quill's motion to re-admit the Teamsters. Later, Mr. McDonald explained that he was confused, that he had thought the action would have precluded any further discussion of the Teamsters' problem.

CURIOUS COINCIDENCE: Mr. McDonald might indeed have been confused. But what disturbs key trade union leaders is that Phil Weiss, a professional dealer in the black arts of confusion, was very much in evidence in the Commodore hotel, where the Executive Council was meeting. Mr. Weiss has his suite at another hotel in New York, as does Mr. McDonald.

KENNEDY'S QUESTIONS: The following questions asked by Robert F. Kennedy, then chief counsel, are based on testimony before the McClellan committee or on evidence in the committee file:

1. "In the early 1940's, you went into business with Richard Frankenstein, who was a high official of the United Auto Workers?" Mr. Frankenstein lost his job when Walter Reuther was elected UAW president.
2. "Shortly after the war, you were involved in black-marketing of steel, were you not, Mr. Weiss?"
3. "Isn't it correct, also, that you have been involved in the black-marketing of steel with 'Longy' Zwillman, as well as Frankenstein?"
4. "Isn't it true that you had financial dealings with various steel companies in the United States at various times? And that in these dealings, you have always used as a basis of them your relationship with, alleged relationship, with certain union officials?"

WEISS, STEEL AND HOFFA: 5. "Isn't it true you have continuously used the names of high officials of the Steelworkers in connection with obtaining or making arrangements with steel corporations and companies throughout the country?"

6. "Isn't it correct, also, Mr. Weiss, that you have used your friendship with Mr. Jimmy Hoffa to obtain business deals with certain truck companies and other companies throughout the country?"

7. "In 1967, didn't you go to a representative of the trucking companies up in New York and tell them because of your relationship with Mr. Hoffa, that you would alleviate the terms of the contract if they would grant the insurance to a friend of yours?"

8. "Isn't it correct, Mr. Weiss, that you are probably ferocious in the country as far as selling your racket connections, not only with racket labor union officials, but with racketeers in the United States?"

9. "Isn't it correct that while Johnny Dio might be effective in New York City, somebody else might be effective in Detroit, somebody else in Philadelphia, that you have had the most far-reaching effect on labor racketeering of anybody in the United States?"

To all of these questions, Mr. Weiss refused to reply on the grounds of possible self-incrimination. Which was his legal right to do.

QUESTION TO McDONALD: The question Mr. McDonald must answer is: What are you doing with Mr. Weiss or what is Mr. Weiss doing with you? Your private life is your own—but, what about the public name of your unions? Can you afford to be part of a sinister triple play, made up of Philip Weiss and Jimmy Hoffa and _____?

AMU, SEAFARERS COMPETE IN CARIBBEAN: The National Maritime Union and the Seafarers have carried their fight to the Caribbean.

Joseph Curran, NMU president will act shortly on issuing charters to four Caribbean maritime organizations which applied for them during a conference last week in Kingston, Jamaica, sponsored by the NMU.

A Seafarers International Union, headed by Paul Hall, announced that it had issued a charter to the 6,000-member Seamen's Waterfront Workers' Trade Union of Trinidad.

Both American unions objective—to form closer liaison with seamen's unions in the Caribbean to strengthen their mutual positions in organizing seamen on American-owned ships registered under the Liberian, Panamanian and Honduran flags. Many Caribbean seamen man such vessels.

Mr. Curran said his union received applications for affiliation from maritime unions covering 18,000 seamen from Honduras, Panama, the Netherlands West Indies (Curacao, Aruba and Surinam) and from Nicaragua.

These unions not only cover seamen but allied waterfront workers such as longshoremen, drydock workers, dredge workers "who work unlimited hours without overtime and at wages far below standard," Mr. Curran said.

Very truly yours,

October 28, 1961

John Herling
JOHN HERLING, Editor

MAM—(Continued)

his friend and protégé, whom he helped bring to the leadership of his city, and to national and international recognition. He served in the Brandt administration with the same selfless devotion he gave his friend Ernst Reuter.

When I recall that great meeting—when 600,000 West Berliners roared their determination in the three words, "Berlin Bleibt Frei"—Berlin Remains Free—I think today of the three men who helped mold the people's spirit: Reuter and Brandt and Hertz—and, not the least of them, is Paul Hertz.

JOHN H. LYONS, IRONWORKERS PRESIDENT, IS DEAD

This week the U. S. labor movement lost a leader who made a significant contribution to the system of responsible settlement of jurisdictional disputes.

Jack Lyons, dead at 70, came up the hard way, lost an eye working on a Cleveland structure. He became an understanding interpreter of the local and international union relations.

In recent years, his insistence on developing sensible methods of adjusting disputes with other craft unions encouraged the establishment of a network of agreements which brought the rule of reason in an area where formerly no holds were barred. He told me more than once that the public responsibility of the trade union movement is now as great as its economic responsibility to its members. In fact, he said, the two are tied together.

As a leader in the Metal and Building and Construction Trades Department, he exerted an affirmative pressure for the peaceful adjudication of disputes through the jurisdictional boards. He was a strong supporter of John F. Kennedy in the presidential campaign and in creating more effective relations between the Kennedy Administration and the labor movement.

His son, John H. Lyons, Jr., vice president of the union, has headed the Ironworkers Washington office.

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1003 K STREET N.W. WASHINGTON 1, D. C.

October 14, 1961

KENNEDY'S NEWS CONFERENCE
(Wednesday, October 11, 1961)

President Kennedy held his first news conference in six weeks—a period of deeply significant international developments, centering around Berlin—but not only about Berlin. In that time, he made a major address to the United Nations which also was a massive expression of U. S. policy. This was also a time whose critical character was sharpened by the death of Dag Hammarskjöld, UN's secretary-general—an event which had brought new problems and highlighted others, and underlined President Kennedy's speech. It also was a period which saw the adjournment of the almost record long Congressional session, and the passing from the national scene of Speaker Sam Rayburn.

All in all, although news conferences have not been regular or frequent, the President has been making news or news has been made through the President. The President's meeting with Soviet Foreign Minister Gromyko at the White House last week—and the unpromising prospect which the President could only hold out—gave the country a sense of urgency, bordering on emergency. Next week's meeting of the Communist Party Congress in Moscow is being watched with special attention.

This week, we include in our Letter those sections of the President's news conference which have bearing on the economy:

No Hope for Tax Cut

Q—Mr. President, we were told that your defense expenditures this year and next year will be vastly increased. Will they be increased so much that they will curtail your legislative program, especially for revision of the tax structure?

THE PRESIDENT: Yes. In answer to the last part of your question, we had hoped before the Berlin crisis came up—that if business came back we might have a three billion dollar surplus which would have permitted a tax reduction.

As you know, since the July call-up
(Continued on next page)

THIS WEEK WE REPORT TO YOU FROM NEW YORK:

TEAMSTERS AND THE AFL-CIO: Over the last few months, the whole problem of relations between the AFL-CIO and the Hoffa-led Teamsters has been raised in many ways. Immediately after the Teamsters Convention, where Hoffa was elected with little opposition, this seemed to some proof positive that Hoffa had everything sewed up, and the idea of unhorsing Hoffa was academic and impractical.

Indeed, Hoffa and his associates began to spread stories that the sentiment was rising for his readmission without too much fuss or feathers. He also announced that "even" Walter Reuther was ready to advocate his reentry. When Reuther did not deign to reply specifically, but preferred to emphasize his belief that the ethical practices codes of the AFL-CIO ought to be applied not only to Hoffa but also to AFL-CIO affiliates, this was interpreted by some as conceding that Hoffa should get back into the AFL-CIO. This Reuther denied by making the point that ethical standards of the labor movement should be raised and not lowered.

At any rate, this apparent lack of precision did give some people the impression that a Reuther-Hoffa entente was in the offing. This reporter has several times indicated that such a development deserves more ridicule than serious attention.

QUILL'S REPORT: At his Transport Workers Convention last week --Quill invited Hoffa to address his convention and the delegates passed a resolution urging the "immediate readmission of the two million members of those expelled organizations to the house of labor." This meant that he was urging the return of not only of the Teamsters, but also the Bakery & Confectionery Workers and Laundry Workers. The two latter groups have already been considerably reduced in numbers and effectiveness by the chartering of a new American Bakery & Confectionery Workers and a new Laundry Workers Union.

Meeting in New York, the AFL-CIO Executive Council used the first part of the Quill resolution as the kick-off for the Teamsters discussion, which took up almost the entire first session. The result was the rejection of the Quill resolution by an official vote of 25 to 9. The two mentioned by Meany as favoring the Quill idea were Maritime President Joseph Curran and Sleeping Car Porters A. Philip Randolph. Actually, though unrecorded, Steel Workers President David J. McDonald had also voted with Curran and Randolph. Meany said that any other votes with the minority must have been cast in a very low voice. At any rate, subsequently, McDonald explained that he voted

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as he did because he thought that the defeat of the Quill resolution meant that there would be no further discussion of the Teamsters problem. Whether this was meant to serve as an excuse or an explanation is hard to determine. The fact is that the week before, the Executive Board of the Steel Workers had met in Washington, where the subject of Teamsters readmission to the AFL-CIO came up. Somebody moved that this should be the Steel Workers policy and after two or three minutes of deliberation, it was carried. Then, somebody had second thoughts on the subject. Finally, it was agreed the Steel Workers Union officers should be empowered to take whatever steps they believed proper. The first step taken by President McDonald was to vote against the rejection of the Quill resolution. Another unrecorded negative was that of Building Service Employees President emeritus William McPetridge.

MEANY ON HOFFA: The AFL-CIO president spelled out the reasons for the AFL-CIO's rejection of the Hoffa-led Teamsters. The Teamsters were expelled because they were under corrupt influence. And "nothing happened to indicate there has been any change for the better. In fact, there is every indication that the union is more than ever under the influence of corrupt elements. I don't think anyone in his right mind could deny that then and now the Teamsters are dominated by corrupt and criminal elements."

What could it take to enable the Teamsters to come back to the AFL-CIO? It would require "conformance with the ethical practices code" of the AFL-CIO and with the "Decision of the 1957 AFL-CIO convention" which expelled the Teamsters Union.

Hoffa's first reaction to the announcement of the AFL-CIO rejection of efforts made on his behalf to get him back to the AFL-CIO was: "Who asked 'em? We'll meet them anywhere, anytime and we'll come out on top."

A few hours later, Meany announced that in recent months he has received applications from about 100 Teamsters groups for admission to AFL-CIO affiliation. Some of these date back to the time of the expulsion. Almost half of them made known their interest in new affiliation after August 1. Since then several Teamsters locals have quit Hoffa.

FEDERAL CHARTERS FOR TEAMSTERS: The next day, the AFL-CIO leadership carried on an intensive discussion of next steps. Having rejected the Hoffa-led Teamsters, it became clear that the AFL-CIO believed it had an obligation to those in the Teamster organization who also rejected Hoffa. In the Executive Council, there was general agreement that this was not the time to charter a new international union, or its equivalent--such as Helms had proposed. BUT, it was finally decided that the AFL-CIO machinery would be placed behind the federal chartering of the Teamster locals which rebelled against Hoffa leadership.

The action of the AFL-CIO was spelled out this way: "It is the sense of this meeting that the executive officers are

KENNEDY--(Continued): decision, which was three and a half billion dollars, we have lost that hope. We have still a strong desire to balance our budget but I can not predict what extra military demands may be made in the next month or two which may lessen that chance. But our present intention is to balance our budget unless military increases, and only military increases, threaten that object.

Q--Mr. President, in your July speech on this same subject you said that if it was necessary to balance the budget you would increase taxes. Do you still feel that way?

THE PRESIDENT: For example, there is not any doubt that if we had been able to persuade the Congress to accept the six or seven hundred million dollar increase in postal rates, it would have eased us in our responsibility. We will increase or we will secure sufficient revenue to balance the budget unless there is excessive and substantial--and they may come because of the events in Southeast Asia or Western Europe. At that time we will then make a judgment as to how much we can cut from non-defense expenditures. And secondly, how much of a tax burden can be sustained without stranding the recovery. We don't want, which I think is one of the difficulties, recovery of 1953 which was aborted in 1955. So we don't want to provide a tax structure which already is very heavy and brings in tremendous receipts as full employment, we don't want it to result in waste of resources and manpower. So that is the judgment we must make.

Boom With Unemployment

Q--Mr. President, could you give us your assessment of the vigor of the economic recovery, particularly in the light of some assessments by organized labor that we may have 5 1/2 million unemployed by next February?

THE PRESIDENT: We have had a 10% increase in the second quarter and a 5% increase in the third quarter, and we are going to continue to have a substantial increase in the next quarter.

I think we are producing more cars this quarter probably than any year since 1950, and we have had less increase in the cost of living in a recovery than we have had in 12 years, so that the private sector is moving ahead.

The problem of unemployment continues because of technological changes and increases in the population. We do not have unemployment is now about four million, we do not, I am still as concerned as they are that we could have a great boom and still have the kind of unemployment they describe.

Steel Prices

Q.—Sir, do you believe your letter to the steel companies has had the desired effect that there will not be a steel price increase this fall?

THE PRESIDENT: I think that the steel companies are going to make a judgment based on what they consider to be in the private—in the public interest and in line with their own responsibilities. I think it is their judgment and I am hopeful that they will make a judgment which will assist our economy.

Q.—Mr. President, on Berlin, the Russians seem to be making a considerable effort to cut any relationship between West Berlin and West Germany, even the relationship which now exists. Do you consider that any settlement of the Berlin issue will have to include free access for West Germany and West Berliners back and forth, and other relationships between the city and the country as well as access for the Allied forces themselves?

THE PRESIDENT: Well, I think without going into the details, as I said at the beginning, it is quite obvious that we are not only talking about the freedom of the city, but also its viability, economic as well as political. It operates under the greatest possible difficulties, 100 miles within an area controlled by the Soviet Union—so that this tie with the West, West Germany and other sections of the West is very vital to its survival, not more than just a shell, so that we will be concerned with the viability and vitality, economic vitality, of the city in any agreement that we are able to make. If we can make an agreement.

INSIDE THE AFL-CIO EXECUTIVE COUNCIL

or, Tamala Anyone?

Most arguments are carried along two levels—the heard and unheard. (Continued on next page)

empowered to use their judgment as to the issuance of federal charters to local groups who leave the Teamsters International and indicate a desire to join the ranks of the AFL-CIO and give them the support an affiliate of the AFL-CIO is entitled to receive."

The AFL-CIO action is equal and opposite to that announced by Hoffa at his convention last July when he announced that the Teamsters intended to organize and issue charters to any local that was dissatisfied with its affiliation, no matter where and how affiliated. The AFL-CIO is ready to welcome the dissatisfied in the Hoffa ranks.

The vote on granting federal charters to anti-Hoffa Teamsters was 4 to 2, with one abstention. The two "noes" were Curran and McPetridge. The abstention was Joe Beirne who said he was "happy" with the council action, but that it didn't go far enough but was a step in the right direction." Ultimately, he believes, "we will have to come to the kind of organization that I propose."

The Beirne's resolution for setting up an independent truck drivers organizing committee was not taken up since the federal charter proposition was taken up first and passed.

HOFFA'S REACTION: Twelve hours later, Hoffa announced that he was suing George Meany for \$1 million, a suit he would file on Monday, October 15. Meany said this was the funniest thing he ever heard of. Hoffa says he will challenge Meany to specify whom he meant by criminal elements.

Hoffa apparently reacts automatically by rushing to the courts because he has been in them so much. The same day that the AFL-CIO announced that it would welcome Teamster elements, dissatisfied with Hoffa, the Teamsters president was hit by another indictment in Orlando, Florida—a revival of the indictment which was declared defective because of faulty jury panel.

HOFFA'S INDICTMENT: The Teamsters President was re-indicted with Robert E. McCarthy, Jr., Detroit banking executive, on fraud charges involving the asserted misuse of more than \$500,000 in union funds in the development of a "model city" in Brevard County, Florida.

Attorney General Robert F. Kennedy announced the return of the 16-count indictment by a federal grand jury in Orlando, Florida. An earlier 12-count indictment was dismissed July 12, 1961, on grounds that the grand jury which returned it had been improperly impaneled.

The original indictment, returned December 7, 1960, included eight counts of mail fraud, three counts of fraud by telephone and one count of fraud by telegraph.

The new indictment included those 12 counts plus three new mail fraud counts and a mail fraud conspiracy count.

Henry Lower of Detroit, who died August 27, 1961, and who was named as a defendant with Hoffa and McCarthy in the original indictment, was named but not indicted in the new indictment.

Loser was an official of Teamster Local 367 in Detroit, the indictment said. McCarthy, now an officer of the Public Bank of Detroit, was manager of a branch of the Bank of the Commonwealth, in Detroit, at the time of the asserted frauds, according to the indictment.

NATURE OF ALLEGED FRAUD: The new indictment, like the old, charged that starting in March, 1954, Hoffa, McCarthy, and Loser devised "a scheme and artifice to defraud" four Teamster organizations in connection with the establishment of Sun Valley, Inc.

Sun Valley was formed on about October 22, 1954 as a Florida corporation with principal offices in Detroit. Its purpose, the grand jury charged, was to buy land in Brevard County, Florida, and resell parcels of this land to Teamster members and the general public.

It was part of the scheme to defraud "that Sun Valley would be financed, both directly and indirectly, through the misuse of union funds and operated for the personal profit of the defendants," the indictment charged.

Hoffa, McCarthy and Loser used unspecified amounts of money disbursed by the four Teamster groups "to promote their scheme and artifice" even though the books of the organizations showed the funds were used for the benefit and purposes of the unions, the grand jury said.

The indictment said the four groups were Truck Drivers Local Union 299, Automobile Drivers and Demonstrators Local Union 367, Food and Beverage Drivers Local Union 377 and Teamsters' Joint Council 43, all of Detroit.

Additionally, the grand jury said the three men withdrew Sun Valley funds "for their personal use and benefit."

The indictment also charged that the three, as a further part of their "scheme and artifice" fraudulently represented that Sun Valley would improve the Brevard County property "as a model city for retired members of Local Unions chartered by the Teamsters" and that the building lots all were "on high, dry and rolling land."

"In fact," the indictment said, "the defendants and Henry Loser caused the property to be so plotted that it could not be practicably improved and developed" and "in fact, many of the lots offered and sold were so low and permeated with water as to make them not suitable for construction of homes and dwellings."

The lots, which had been acquired by Sun Valley for approximately \$18 each, were advertised and sold for from \$150 to \$1,090 each, the indictment said.

Very truly yours,

October 14, 1961

John Herling
JOHN HERLING, Editor

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INSIDE AFL-CIO—(Continued)

For example, everybody knows that while any number of issues may come before the executive council, some of the subsurface maneuvering often has to do with the succession to the AFL-CIO Presidency. After all, George Meany is past the persuasive retirement age, and lately he has been carrying as a walking aid what he refers to as his golf club. So the question recurs—who after Meany?

The name of Walter Reuther ranks high. So does Retail Clerks President James A. Sufridge. And Letter Carriers President William C. Doherty takes almost every occasion to announce his own candidate as Communication Workers President Joseph Beine.

This past week, however, Maritime President Joseph Curran did slam into the matter in the course of the discussion on the discussion of what to do about the Teamsters. Curran was taking out after Joe Beine for his proposal to set up a Truck Workers organizing committee. He charged him with ulterior motives—namely, using this as a tactic to win support for further advance in the AFL-CIO.

"Everybody knows," Joe Curran barked, "that Joe Beine is being groomed to take George Meany's place." Suddenly, the table grew quiet. Some eyes turned toward Meany, expectantly. Others turned away in embarrassment. (There are some things that even members of the Executive Council feel sensitive about.)

George Meany sat still for a moment, shifted slightly in his seat, and extracting the cigar from his teeth, looked toward the ceiling, and breathed up a little smoke.

"Over my dead body," said Meany, deadpan.

Whereupon, the room rumbled with belly laughs. Curran looked somewhat red-faced, his triumphant argument deflated.

"Well, George," said Curran, "I'm glad you've cleared up the situation."

Reuther, Hutcheson Absent

Two absentees from the AFL-CIO Executive Council meeting in New York were: Walter Reuther, president of the Auto Workers, because he was deeply involved in Ford strike negotiations; and Maurice Hutcheson, Carpenters president: ill.

Herling, John

JOHN HERLING'S LABOR LETTER

ISSUED WEEKLY FOR INFORMATION OF SUBSCRIBERS
1008 K STREET N.W. WASHINGTON 1, D. C.

HOFFA IN CHICAGO

September 23, 1961

The Teamsters president is suffering from a spreading rash of discontent in his lower echelons of leadership and membership. What this means at this stage is, it is hard to tell. Other factors must be considered, and they haven't shaped up concretely enough.

Hoffa was in Chicago in connection with charges of "sweetheart" deals between Truckers and Teamsters leadership. Charges are made among others by William J. Burns, a truck driver who has organized a rebel Teamsters group to challenge the big Teamsters operation. Burns presented his "sweetheart deal" grievances against Local 710, Meat and Highway Drivers. At the meeting of the Joint Area Committee, of which Hoffa was chairman, Burns was turned down by the committee.

Instead Hoffa insisted that Burns was all wrong in his complaints against the local, headed by John T. (Sandy) O'Brien, now first vice president of the Teamsters. Hoffa said that the state grievance committee had previously ruled in favor of Burns on other points.

Hoffa took time out to reject reports of a Teamster rebel movement. Burns repudied by pointing to the victory of rebel Chicago taxicab drivers over Joey Gimco, of Teamsters Local 777, in an NLRB representation election.

Hoffa then denied charges of favoritism and denied there was any rebel movement among the "over the road" drivers. He turned a Burns' charge of "sweetheart" deals at the meeting, and called him "ignorant."

Burns said he would continue his efforts to sign up drivers in his independent union. Currently, Local 710, the O'Brien union, is being investigated by the federal grand jury on charges of "sweetheart" arrangements with favored companies.

At the same time Hoffa was contemplating reports that the AFL-CIO intends to establish a new Teamsters union to oppose the Hoffa group.

Those rumors must have been
Continued on next page

REUTHER AND THE ANTI-LABOR WIND: What's the matter with Walter Reuther? There are some viewers-with-alarm who are huffing and puffing to whip up an anti-labor and anti-Reuther hurricane in the wake of the latest auto negotiations. They are mad at him because he has won for his membership a package of wage increases and fringe benefits from General Motors and the smaller American Motors Co.

They echo the line that the auto workers' president is getting too big and powerful and not giving his membership a chance to be heard. And then when the local leadership and the men in the plant refuse to accept automatically the results of his negotiations with management, they charge Reuther with failing to carry out his responsibility.

They damn him one way or another.

Such critics of Mr. Reuther become almost maudlin in their defense of what they regard as the defenseless public versus domineering unions. This is rather stupid when it is not ridiculous. They seem to leave out the fact that management certainly in the auto industry, has become a highly sophisticated body of men, with keen minds and economic muscle, who know just how far they can go in making a bargain--and they make certain their companies don't suffer as a consequence.

FACTS: So far as the consuming public is concerned, in successive negotiations over the past decade and a half, Mr. Reuther has always offered to gear down demands for wage increases and fringe benefits if the companies prove to him that they can't afford such increases without raising prices. At the same time, many of Mr. Reuther's critics who deplore the "annual improvement factor"--the annual wage increase of 2 1/2 percent or 6 cents, whichever is higher--forget that this idea of wage escalation geared to productivity was the proud achievement of Charles Wilson of General Motors. They forget also that President Eisenhower urged that wage increases be tied to productivity.

SMALL CALIBER COMMENTATORS: But what concerns many observers is that certain commentators--including former ambassadors to small countries like Henry J. Taylor, show such tiny caliber perceptions of the world we live in. Of course, such commentators salute the platitude by emphasizing we live in a free economy and how essential it is for there to be a constant balance of forces in our local and national community. But balance does not mean a static condition--a painted ocean. There must be constant debate one way or another, and the dialog must often be argued out in deeds as well as words. There

are vital forces at work in our society, and not just slogans.

In the same breath as certain of these critics say solemnly: "Unions are essential in industrial America," they seek to undermine the unions' position in American life. When such men go abroad, they come smack up against the reality that the American trade union movement can and must increase its contributions in terms of philosophy, in personnel and in public awareness. They even make speeches about it.

LABOR AND THE PUBLIC: But they also make the grievous error of forgetting that the trade union movement—even at its present membership plateau—represents the bread and butter—and aspirations—of more than 17 million American workers and their families.

The commentators I'm talking about—some of whom are sponsored by large corporations—also peddle stuff like "the companies can get along without unions, but the unions can't get along without the companies." This posture is not only antidiluvian, it is what John L. Lewis once called retrograde. Anyway, it is fearfully and dangerously backward.

What strikes me as strange is the kindly "Peck's bad boy" image some of these critics of Walter Reuther bestow on Jimmy Hoffa, the self-described free enterpriser. As between the Teamsters' boss and the Auto Workers' president, they plump for Mr. Hoffa and his philosophy.

Now, don't get me wrong. Walter Reuther is not without faults—and who is not? But in answer to the opening question: "What's the matter with Walter Reuther?" my reply is: First, "He's all right" and second, "I think the country is lucky to have aggressive, honest labor leadership such as his."

REUTHER'S PRESENT STATUS: Walter Reuther, now 54, retains the verve and drive of his late twenties, when he and his two brothers, Roy and Victor, decided that they were going to be union organization men. For them, the operative word was "organization." Through the Congress of Industrial Organizations, the Reuthers began to make their impact upon the nation. Never did three members of one family, with nothing but health, dedication and unadulterated nerve, spin off as much accomplishment.

It's a far cry from the latest negotiations with General Motors and the 1937 sit-down strikes in the Chevrolet plants at Flint, Michigan, and similar demonstrations in many another place and plant. The current sit-ins, walk-ins, stand-ins, ride-ins, swim-ins and all the other methods of agitational entry employed in the civil rights campaigns are in the direct line of the labor phenomenon in 1937. Of course, both of them owe a considerable amount to the techniques of passive resistance which were developed by Mahatma Gandhi, who in turn was inspired by Henry David Thoreau of Concord.

But while Walter Reuther would tip his hat to Thoreau, Gandhi, and perhaps to his own past achievements, the quickening pace of the time leaves him little room for this kind

CHICAGO—(Continued)

drunk when they talked about forming another Teamsters union," was Hoffa's diagnosis. Then Hoffa charged Secretary Goldberg with juggling labor department statistics to disprove Hoffa's claims of a fast growing membership.

"Goldberg has the proper statistics in his office, but he comes up with a Teamsters' membership figure based on the time of the year when there is a downturn in employment."

Just as we go to press, the Federal Grand Jury indicted Thomas H. Keegan, Local 710's \$27,900 a year business agent for allegedly accepting illegal payments from an interstate carriage company. There are 48 counts in the indictment, one for each alleged payment. Each count carries with it a \$10,000 fine and a year in jail. Teamsters Local 710 with more than 16,000 members claims to be the largest Teamsters local in the country.

TEAMSTERS' MEMBERSHIP DROPS

In connection with Hoffa's charge that the Department of Labor was rigging figures about the Teamsters' membership, it should be noted that AFL-CIO President George Meany had already pointed out that Hoffa's claims of more than 1,700,000 members were highly exaggerated. Meany charged that under the Hoffa regime—despite Hoffa's claims of great gains—the Teamsters lost membership since 1957, the year of his first phase as national head of the Teamsters.

One way to check membership figures is to use the Teamsters' own financial reports:

1. In 1957, total per capita international receipts came to \$7,512,341.95—divided by 40c, the per capita contribution equals 1,865,071 members, average for the year.
2. In 1958, total per capita receipts came to \$6,804,150—divided by 40c equals 1,417,531 members, average for the year.
3. In 1959, for the second half of the year, under Landrum-Griffin reporting requirements, per capita receipts came to \$3,569,049 for six months (times two for the year): the resulting membership figure is 1,487,104.
4. In 1960, total international per

capita receipts came to \$7.109-
32843—divided by 452 equals
1431.67 members.

This is still a big membership. But it shows several things: First, Teamsters' membership runs a full quarter behind what Hoffa claims. Second, there was a drop of about 125,000 members between 1957 and 1960 as recorded in the per capita receipts, on the average for both years.

HOFFA'S FAILURE PATTERN

Recent victory of the American Bakery & Confectionery Workers in New Jersey and in Pittsburgh prove that Jimmy Hoffa's nuclear tests do not carry the dangerous fallout over other unions—if they make up their minds to protect themselves against it.

Ever since the Bakery & Confectionery Workers—then led by James G. Crose—were expelled from the AFL-CIO, noises were made about unionism with the Teamsters. At the special convention, held in Cincinnati after expulsion, both Hoffa and Hal Gibbons, Teamsters top v.p., delivered tall speeches about future relations and support. There seems to be little doubt that a certain kind of support has been made available, but the diminishing returns, despite the Teamsters' increased efforts to put the arm on various situations—have caused many eyes to open with astonishment. Perhaps one moral which may be derived from the current situation is this: when Hoffa can't complain about being persecuted by the courts or the government in a burst of injured innocence, then his own local and rank and file people begin to assert themselves openly and with more confidence.

The New Jersey Example: This was the National District NLRB election early in September. This was fought out between the expelled B&C union, headed by Leo Murray, and an International v.p. of that union, and the ABC—the A. F. of CIO American Bakery & Confectionery Workers Union. Hoffa intervened in a strong letter of endorsement, widely distributed. Hoffa promised "the whole-hearted cooperation and support" of his Teamsters Union and "all our resources" to ensure a Local 605 victory. He was con-

(Continued on next page)

of contemplation or self-congratulation. He knows he has got to move or stagnate. He says that this applies to the AFL-CIO now with the conclusion of auto negotiations, Walter Reuther has an interval of time during which he expects to work at what he calls revitalizing the labor movement.

MEANY AND REUTHER VERSUS HOFFA: For him, revitalization means an organizational as well as psychological change. His position is that you can not have one without the other. He is deeply distressed by the sense of easy ascendancy which Teamsters president Jimmy Hoffa claims over the AFL-CIO unions. Of course, Hoffa, aware of the cleavages in attitude between Meany and Mr. Reuther, enjoys trying to drive the wedge between the two a little deeper. But Mr. Hoffa reveals himself as being all muscle and no head if he thinks he can get very far with such obvious tactics.

The dissatisfaction with the present state of the AFL-CIO will presumably be discussed at the AFL-CIO General Board and Executive Council meetings in October. Some will also be taken up in the convention of the Industrial Union Department, which Mr. Reuther heads. For the next six weeks, intense preparation for the agenda will carry with it the certain knowledge that unless the Industrial Union Department comes up with a program of action, many of the AFL-CIO leaders associated in the department will diminish in the eyes of their membership and the public. They will lose face, if not weight.

TALK AND ACTION: Back in the middle 1930's, the United Mine Workers, under John L. Lewis, deployed a large corps of experienced men and a sizeable chunk of money, to enable labor to take advantage of the opportunities of the New Deal. Without that kind of logistical help, FDR's magnetic voice and presence could never have created the Congress of Industrial Organization or stimulated the American Federation of Labor to start stoking its fires once again. Now, in the early 1960's, the potential growth of the union movement must necessarily reflect the growth industries of the nation and the presence of a growth Administration. But it is not enough to talk, as Reuther frequently does, about "little men of little vision," without showing exactly how men increase in stature and improve their outlook. This is what Mr. Reuther's durable friends and dour critics are both saying. Outside of his own considerable union, is Reuther just a gymnasium fighter?

LABOR IN BRAZIL: This is the inside story of how the democratic sector of the Brazilian labor movement played a crucial part in preventing the return to power of President Janio Quadros after his sudden resignation.

JOURNAL OF PREVENTIVE ACTION: Sources close to Brazilian labor reveal the following sequence of events:

1. On August 20, the convention of ORIT--the Inter-

are vital forces at work in our society, and not just slogans.

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As Pegler Sees It:

Journalists Should Be Labeled, Too

By WESTERHOLM PEGLER

THE PURE FOOD and Drug Act was designed to prevent deceptive labeling of many medicines which, on their whole record, shared a reputation as benign concoctions good for the human race. To be sure, feaverfew medicines had held forth exaggerated promises of irresistible charm to patients of both genders, and sinister mixtures of bucku and sherry had warmed the veins of toothless diascora beyond the bounds of reasonableness.

For that reason and because he was dragged by heady anifers of notoriety, Doctor Harvey W. Wiley caused Congress to impose restraints which took all the adventure out of the rural medicine cabinet.

I perceive now the materials of a similar case in our journalism.

For example, I submit the case of John Herling, a syndicated pundit on "labor" who appears in Roy Howard's Washington Daily News and in the publications of David Dubinsky and the Structural Iron Workers among others.

In the words of John L. Lewis, Mr. Howard sups with labor, albeit with a long spoon, and with the ogres of reaction. He ran my audacious early essays on racketeers in the Hollywood unions, the Hod Carriers, Teamsters and Window Cleaners, but he later hired a time expired secretary to Norman Thomas and factotum of the Socialist Party, John Herling, to get him right with God for his evil work in printing Pegler.

The time-expired secretary to Norman Thomas is John Herling, but Mr. Howard did not announce that he was a high Socialist and an immovable partizan of the unions which he was hired to discuss.

Mrs. Herling, known also as Mary Pen, also was a secretary to Thomas. They are, singly and together, Socialists themselves. Mr. Herling was for years an official of the League for Industrial Democracy, a rebellious if not openly revolutionary letterhead, founded by Jack London. He was known as the alter ego of Mr. Thomas before he became a "columnist" presenting the "other side." He is a propagandist of the Socialist Party as a political force.



HERLING

ADMINISTRATIVE FILE

Herling, John

It came to my notice during his reports on the Puerto Rico convention of the AFL-CIO which coincided with the dramatic triumph of Fidel Castro that the AFL-CIO and Mr. Herling looked on that with a glad eye. The AFL-CIO was counting on Castro for big things in Latin America, especially in Santo Domingo, which, as all of us know, is a bloody tyranny whereas Castro's is a reign of love. A massacre in Ciudad Trujillo seemed imminent and not necessarily repugnant.

Is my view unreasonable that a man who has been an official of Socialist organizations and has lived long in an atmosphere of union corruption without ever passing any remark is a partizan of "the other side"? Then may I say further that the scoundrels of the union racket whom Herling failed to put the finger on or blow the whistle at are clients of a partizan forbearance?

I have often read and heard that "labor" would clean house if Pegler would shut his big loud mouth. But for years I have devoured the works of perhaps fifty reporters on the "labor" run without coming upon a single instance of conscientious indignation. They work in the sewer and keep unaware. They puzzle me, all of them, but Mr. Herling more than most.

Senator Barry Goldwater studied Herling's work in Mr. Howard's Washington paper throughout the long inquiry of the McClellan Committee and reported that "until the merger of the AFL and CIO," his stuff so strongly favored Walter Reuther that George Meany avoided him as a Reuther stooge.

On my own label, the formula is plain: "Not a member of the Socialist Party nor the Communist Party nor any Communist front; not an accomplice or partizan of any union or association of employers."

That seems a fair minimum to require of anyone purporting to give either or both "sides" of labor.

The truth should be the only side.

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